



2003 Adoption State Statute Series Statutes-at-a-Glance Presumed (Putative) Fathers

What You Need to Know

In the decades since 1960, out-of-wedlock births have increased dramatically. While much research on childbearing trends and the characteristics of unwed mothers exists, very little is known about putative fathers, the alleged or reputed father of a child born out-of-wedlock. However, there is an expanding population of putative fathers who wish to play a role in their children's upbringing. Consequently, their legal rights have become increasingly important.

Putative fathers have had fewer rights with regard to their children than either unwed mothers or married parents. Over the past several decades, putative fathers have used the Fourteenth Amendment to challenge the termination of their parental rights when the birth mother relinquishes their child for adoption. Nevertheless, States have almost complete discretion to determine the rights a putative father must receive at proceedings to terminate parental rights or adoption proceedings.

Constitutional Rights

The U.S. Supreme Court has protected a putative father's right to constitutional protection of his parental rights when he has established a substantial relationship with his child. The Court defined a substantial relationship as the existence of a biological link between the child and putative father, and the father's commitment to the responsibilities of parenthood by participating in the child's upbringing.¹

Several critical concerns, however, have been unresolved by the Court. For instance, when an infant is placed for adoption at birth, the putative father can have no more than a biological link to his child; he never received an opportunity to develop a substantial relationship with his child. The Court has yet to rule on what this putative father must do to protect his parental rights. Consequently, there is a lack of uniformity among States as to the level of protection available to unwed fathers.²



The Clearinghouses are services of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

¹ *Stanley v. Illinois*, 405 U.S. 645 (1972); *Quilloin v. Walcott*, 434 U.S. 246 (1978); *Caban v. Mohammed*, 441 U.S. 380 (1979); *Lehr v. Robertson*, 463 U.S. 248 (1983).

² This summary is limited to a putative father's right to notice of adoption or termination proceedings when the child is relinquished for adoption at birth or shortly thereafter.

Putative Father Registries

In almost all jurisdictions, putative fathers are entitled to notice of proceedings to terminate parental rights or adoption proceedings. States generally require a putative father to register on the putative father registry or acknowledge paternity within a certain time frame in order to receive notice of such proceedings.³

Approximately⁴ 22 States have statutes authorizing the establishment of putative father registries. Several States, however, only mandate by law that a putative father file a notice of his paternity claim within a certain period of time. Failure to register or file may preclude the right to notice of termination or adoption proceedings.

Information Included in Registries

States differ in the information they maintain in their registries. Among the information states require:

- Name, address, social security number and date of birth of putative father and birth mother
- Name and address of any person adjudicated by a court to be the father
- Child's name and date of birth or expected month and year of birth
- Registration date
- Other information deemed necessary.

Revocation of and Access to Information

Approximately 17 States allow putative fathers to revoke a notice of intent to claim paternity.⁵ Of these States, many require that the putative father submit a signed, notarized written statement. While some States allow revocation of information at any time, revocation is effective only after the child's birth in some jurisdictions. Access to information maintained in registries also varies from State to State. Many jurisdictions permit certain persons access to registry records. In general, these are people with a direct interest in a case. Typically, persons entitled to access include:

- Birth mothers
- Courts
- Attorneys
- Licensed adoption agencies
- Prospective adoptive parents
- Any other person upon a court order for good cause shown.

The Statutes-at-a-Glance listings summarize specific sections of each State's code. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures. Readers interested in the interpretation of specific statutory provisions within an individual jurisdiction should consult with professionals within the State familiar with the statutes' implementation.

To obtain additional copies of this product, or for more information, contact:

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³ Situations in which the birth mother and putative father reside in different States may be complicated by the variability in State adoption law regarding putative father registration or acknowledgement.

⁴ The word *approximately* is used to stress the fact that statutes are constantly being revised and updated.

⁵ This summary does not include statutes addressing the requirements of voluntary declaration of paternity.

Alabama

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 26-10C-1

- May file prior to child's birth or within 30 days of birth
- Complete Department of Human Resources form signed by putative father and notarized

Information Contained in Registry/Claim

Statute: § 26-10C-1(a)

Name, social security number, date of birth and address of any person adjudicated by a court to be the father, and any person who has filed with the registry.

Revocation of Claim to Paternity

Statute: § 26-10C-1(d)

Putative father may at any time revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry

Statute: § 26-10C-1(f)

- Court handling adoption
 - Any court upon request
 - Any person upon a court order for good cause
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Alaska

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 25.23.100

- Putative father entitled to receive notice of adoption proceedings.
- A reasonable investigation is made to assure that all persons entitled to notice are located and given notice of the adoption proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

American Samoa

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Not addressed in statutes reviewed.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Arizona**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: § 8-106.01(A)(B)

- May file prior to child's birth or within 30 days of birth
- Complete Dept. of Health Services form signed by putative father

Information Contained in Registry/Claim

Statute: § 8-106.01(B)

- Name and address of putative father and birth mother
- Child's birth date or probable month and year of expected birth

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 8-106.01(B)

- The court
- The Division
- A licensed adoption agency or licensed attorney participating or assisting in a direct placement adoption

Arkansas**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: § 20-18-702; § 9-9-224

- May file prior to child's birth or at anytime prior to the filing of a petition for adoption.
- Complete Department of Health form signed and acknowledged by putative father and notarized.
- When information is contained in the registry at the time of the filing of the adoption petition, a copy of the petition is served on the registrant.

Information Contained in Registry/Claim

Statute: § 20-18-702

- Name, address and social security number of birth mother, and any person who claims to be the father
- If born, child's name, and date and location of birth if known

Revocation of Claim to Paternity

Statute: § 20-18-703

- Putative father must submit a signed and notarized statement that, to the best of his knowledge, he is not the father.
- Revocation only effective after child's birth.

Access to Information Maintained in Registry

Statute: § 20-18-704

- Birth mother
- Child
- Registrant
- Department of Human Services
- Attorneys involved in paternity, support or adoption litigation
- Office of Child Support Enforcement

California**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: Fam. Code § 7662; § 7663; § 7666

- Must bring an action declaring the existence of a father child relationship within 30 days of service of the notice of adoption proceedings or the birth of the child, whichever is later.
- To identify the natural father, the court shall cause inquiry to be made of the birth mother and any other appropriate person.
- Notice given at least 10 days prior to a proceeding to every person identified as the natural father or a possible natural father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Colorado**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 19-5-105(2), (3), (5)

- To identify a birth parent, the court shall cause inquiry to be made of the known parent and any other appropriate person.
- Must file a paternity action within 30 days after the child's birth or within 30 days after receiving notice that he is the father or likely father.
- Must file an answer within 20 days after service of notice of termination proceedings.
- Notice of termination proceedings is given to every person identified as a birth parent or possible birth parent.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Connecticut

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 46b-172a; § 45a-716

- May file at any time but no later than 60 days after date of notice of termination proceedings
- Complete form provided by probate
- Notice of termination proceeding given if:
 - Adjudicated the father
 - Acknowledged in writing to be the father
 - Contributed regularly to the child's support
 - Name on birth certificate
 - Filed claim for paternity
 - Named in the petition as the father

Information Contained in Registry/Claim

Statute: § 46b-172a

- Name and address of putative father and birth mother
- Month and year of birth or expected birth

Revocation of Claim to Paternity

Statute: § 46b-172(2)

Mother and acknowledged father have a right to rescind his acknowledgement of paternity in writing within 60 days prior to an order of support. An acknowledgement may be challenged after 60 days only on the basis of fraud, duress or mistake.

Access to Information Maintained in Registry

Statute: § 46b-172a

Sent to birth mother or prospective mother.

Delaware

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 13, § 1107 A

- Must respond to the petitioning agency within 20 days of receiving notice of intention to file termination petition.
- Notice sent to parent or parents, person or persons, or organization holding parental rights at their last known address or to address recited in petition.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

District of Columbia

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 16-2357; § 16-304; § 16-2359

- Notice of termination proceeding is given to both parents, court appointed guardian or licensed agency.
- If parent is given proper notice and does not appear at the hearing, judge may proceed without him/her.
- When a parent cannot be located, or has abandoned the prospective adoptee and voluntarily failed to contribute to his support for a period of at least six months preceding the date of the filing of the petition, notice is not required.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Florida

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 63.054; § 39.803

- File a notarized claim of paternity form with the Putative Father Registry.
- May be filed at any time prior to the child's birth or the filing of a petition for termination of rights.
- If the identity or location of a parent is unknown and a petition for termination of rights is filed, the court will conduct an inquiry. If a prospective parent is identified, he may complete a sworn affidavit of parenthood, which must be filed no later than at the time of or prior to the adjudicatory hearing in the termination proceeding.

Information Contained in Registry/Claim

Statute: § 63.054

- Name, address, date of birth and physical description of the putative father and mother
- Date, place and location of conception
- Name, date and place of birth or estimated date of birth, if known

Revocation of Claim to Paternity

Statute: § 63.054

- Putative father may execute a notarized written revocation of the claim of paternity at any time prior to the birth of the child.
- Claim of paternity void upon receipt by the Registry.

Access to Information Maintained in Registry

Statute: § 63.054

Petitioner and court in a termination of parental rights or adoption proceeding.

Georgia

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 19-11-9(d)(2); § 15-11-96

- May acknowledge paternity before or after birth in a signed writing, or indicate the possibility of paternity without acknowledging paternity.
- Must file a petition to legitimate the child within 30 days of receipt of notice of termination proceedings.
- Notice of termination proceeding given if:
- Putative father's identity is known to petitioner or attorney.
- Any of the following is true of the putative father: he is on the putative father registry, he lived with the child, he made any attempt to legitimate the child, he provided support or medical care for the child's mother.

Information Contained in Registry/Claim

Statute: § 19-11-9(d)(1)

- Name, address, and social security number of biological, but not legal father
- Date of registration

Revocation of Claim to Paternity

Statute: § 19-11-9(d)(4)

Voluntary acknowledgement of paternity may be rescinded, pursuant to 19-7-46.1.

Access to Information Maintained in Registry

Statute: § 19-11-9(e)

- Governmental department, bureau, board, commission, agency or political subdivision of any State
- The Department
- Licensed child placing agency
- Member of the Georgia Bar

Guam

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 19, § 13306; § 5119(e)

- Any legal parent, natural parent or other persons who are to be parties to termination proceedings are entitled to notice.
- Must attend proceedings or rights will be terminated.
- If mother's rights are to be terminated, putative father, if known, is entitled to notice and an opportunity to be heard with respect to his relationship with child.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Hawaii**Does State have a Putative Father Registry: No****Registry/Paternity Requirements to Receive Notice**

Statute: § 584-6(a)(1); § 571-61(b)

- Must file within 30 days after child's birth if mother relinquishes child for adoption
- May file any time:
 - Prior to the date of execution by the mother of a valid consent to child's adoption
 - Prior to placement of the child with adoptive parents
 - No later than 3 years after child reaches the age of majority
- If the court finds that good cause exists why notice should not be given, and that:
 - The father is not the legal, adjudicated, or presumed father;
 - The father has not demonstrated a reasonable degree of interest in, or concern or responsibility for the child;the court may terminate rights without notice to the father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Idaho**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: § 16-1513(1), (2)

- May be filed prior to child's birth, but must be filed prior to placement or the commencement of any proceeding to terminate the parental rights of the birth mother, whichever occurs first.
- Complete Department of Health and Welfare, Vital Statistics Unit form signed by putative father and notarized.

Information Contained in Registry/Claim

Statute: § 16-1513(2)

- Name and address of putative father and birth mother
- Child's birth date or probable month and year of expected birth

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 16-1513(6)

Identities of putative fathers can only be released pursuant to procedures contained in Ch. 3, title 9, Idaho Code.

Illinois**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: 750 ILCS § 50/12.1(b)

- May register before birth of child, but no later than 30 days after birth
- Must be in writing and signed by putative father

Information Contained in Registry/Claim

Statute: 750 ILCS § 50/12.1(a)

- Name, known alias, address, social security number and date of birth of putative father and birth mother
- Name, gender, place of birth, and date of birth or anticipated date of birth of child
- Date the Department of Children and Family Services received the putative father's registration
- Other necessary information

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: 750 ILCS § 50/12.1(c)

- Prospective adoptive parents
- Birth mother
- Child welfare agency
- Attorney representing a party

Indiana**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: § 31-19-5-12; § 31-19-5-10

- May file before the child's birth, or within 30 days after the birth, or the date of the filing of a petition for the child's adoption, whichever occurs later.
- Complete Department of Health form signed by putative father and notarized.

Information Contained in Registry/Claim

Statute: § 31-19-5-7

- Name, address, social security number, and date of birth of putative father and birth mother
- Child's name and date of birth, if known
- Date registration received
- Name of attorney or agency that requests a search of the registry
- Any other information deemed necessary

Revocation of Claim to Paternity

Statute: § 31-19-5-19

May revoke a registration at any time by submitting a signed, notarized statement to the Registry.

Access to Information Maintained in Registry

Statute: § 31-19-5-21

- Registrant
- Birth mother
- Child
- Any party or attorney in pending adoption
- Attorney who represents prospective parents
- Licensed child placing agency
- Court that presides over pending adoption

Iowa**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: § 144.12A(2)(a)

May file prior to the child's birth, but no later than the date of the filing of the petition for termination of rights.

Information Contained in Registry/Claim

Statute: § 144.12A(3)

- Name, address, social security number, and any other identifying information requested of putative father and birth mother.
- Name, date and location of birth of the child, if known.

Revocation of Claim to Paternity

Statute: § 144.12A(5)

- Information may be revoked by submission of a written statement signed and acknowledged by putative father and notarized, stating that to the best of his knowledge, he is not the father.
- Effective only after child's birth.

Access to Information Maintained in Registry

Statute: § 144.12A(4)

- Birth mother
- Court
- Department of Human Services
- Attorney of any party to an adoption or termination proceeding
- Child Support Recovery Unit
- Any other person upon order of the court for good cause shown

Kansas**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 59-2136

- Notice of termination proceeding given to every person identified as the father or possible father.
- Court will determine if any man has formally or informally acknowledged or declared possible paternity.
- If putative father fails to appear or if appearing, fails to claim custodial rights, parental rights shall be terminated.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Kentucky**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 625.065

- Putative father is made a party and is brought before the court in the same manner as any other party to a termination action if, prior to final order in termination proceeding, he acknowledges the child as his own by asserting paternity in the action or to the custodial agency or the party bringing the action within 60 days after the child's birth.
- Notice also required if the mother identifies him; his name is on the birth certificate; or he contributed to the financial support of the child.
- Only one of the requirements must be satisfied.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Louisiana**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: R.S. § 9:400; Ch. C. art. § 1133; Ch. C. art. § 1137(A)

- May file before or after the child's birth.
- Completed Department of Health and Hospitals, Office of Preventive and Public Health Services, form.
- Notice of the filing of a mother's surrender of child is given to putative father.
- Putative father may oppose adoption by filing a declaration of intention, which must be filed within 15 days after service of notice of surrender, or from the time he was served with notice of adoption (if no surrender filed or executed).

Information Contained in Registry/Claim

Statute: R.S. § 9:400 (A)(3)

- Names and addresses of any person:
 - Adjudicated by the court to be the father
 - Who filed with registry a declaration to claim paternity
 - Who filed with registry an acknowledgment by authentic act
 - Who filed with registry a legitimation by authentic act
 - Who filed with registry a judgment of filiation rendered by a court

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: R.S. § 9:400

- Any court
 - Authorized agency
 - Any person upon order of court for good cause shown
-

Maine**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: Tit. 18-A, § 9-201(d)

May file within 20 days after notice of adoption proceedings is given or within a longer period of time as ordered by the judge.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in RegistryNot addressed in statutes reviewed.

Maryland**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: Fam. Law § 5-322; § 5-310

- Natural father entitled to notice of the filing of adoption petition.
- Father must acknowledge himself to be the father, orally or in writing, and natural mother must agree that he is the father.
- Must file notice of objection to adoption within the time stated in the show cause order.
- Failure to receive response to petition filed by the local department in 30 days deemed a negative response if reasonable efforts in good faith were made to locate putative father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in RegistryNot addressed in statutes reviewed.

Massachusetts

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Ch. 210 § 4A

- Notice of adoption proceedings is given to father who has filed a parental responsibility claim with the Department of Social Services.
- Within 30 days of notice concerning child's adoption, must file a petition for adoption or custody of child in probate court.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: Ch. 210 § 4A

Sent to birth mother.

Michigan

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 710.33(1); § 710.34(1)

- Must file, under oath, before child's birth a verified notice.
- Complete Department of Public Health form.
- Birth mother may file an ex parte petition which requests the court to notify the putative father about his rights to file a notice to claim paternity.

Information Contained in Registry/Claim

Statute: § 710.33(1)

Name and address of putative father and birth mother.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 710.33(1)

Sent to birth mother.

Minnesota

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 259.49(1)(b)

- Must file paternity action within 30 days after the child's birth.
 - If registered, and after receiving a father's adoption registry notice, must initiate a paternity action within 30 days.
-

Information Contained in Registry/Claim

Statute: § 259.52(1)(b)

- Name, known alias, address, social security number, and date of birth of putative father and birth mother
- If applicable, certified copy of court order adjudicating putative father to be the father
- Child's name, gender, place of birth or anticipated date of birth, if known
- Registration date
- Other information deemed necessary

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 259.52(1)(c)

Sent to birth mother.

Mississippi**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 93-17-5

In the case of a child born out of wedlock, the father shall not have a right to object to an adoption unless he has demonstrated, within 30 days, a full commitment to being a parent.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Missouri**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: § 453.030; § 192.016

- May file prior to the child's birth or within 15 days after the child's birth a notice of intent to claim paternity or an acknowledgement of paternity form.
- Completed Department of Health form.

Information Contained in Registry/Claim

Statute: § 192.016(1)

Name and address of any person adjudicated by a court to be the father and who has filed with the registry before or after the child's birth.

Revocation of Claim to Paternity

Statute: § 192.016(4)

- May at anytime revoke a notice of intent to claim paternity
- Effective upon receipt by Registry

Access to Information Maintained in Registry

Statute: § 192.016(6); 453.014

- Any court
- Authorized agency
- Any other person upon court order for good cause shown
- Department of Social Services, Division of Family Services
- Child placing agency
- Child's parents
- An intermediary (attorney, physician, or parents' clergyman)

Montana**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: § 42-2-206; § 42-2-205(3)

- May file prior to child's birth, but no later than 72 hours after birth.
- A putative father may file even if he has no actual knowledge that a pregnancy has occurred.
- Completed Department form or submit statement with required information signed by putative father and notarized.

Information Contained in Registry/Claim

Statute: § 42-2-205(1); § 42-2-215

- Name, address, social security number, date of birth of putative father and birth mother.
- Putative father's tribal affiliation, if applicable.
- Child's name and place of birth if known, or approximate date and location of possible conception and expected delivery date.
- Date of registration.
- Name and affiliation of person requesting registry information.
- Other information deemed necessary.

Revocation of Claim to Paternity

Statute: § 42-2-223

Unless support order issued, putative father may revoke registration at any time by submitting a signed, notarized statement.

Access to Information Maintained in Registry

Statute: § 42-2-217(1)

- Department representative
- Adoption agency
- Prospective adoptive parents or their attorney
- Any woman who is the subject of a registration

Nebraska

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 43-104.02

- May file within 5 business days after the child's birth, or within 5 business days after receipt of notice of adoption proceedings, or within 5 business days after the last date of any published notice whichever is later.
- Completed Department of Health and Human Services Finance and Support form.

Information Contained in Registry/Claim

Statute: § 43-104.01(1)

Names and addresses of:

- Any person adjudicated by a court to be the father
- Any person who has filed with the registry, prior to notification, a paternity claim
- Any person who has filed with the registry a notice of intent to claim paternity and obtain custody

Revocation of Claim to Paternity

Statute: § 43-104.01(3)

Putative father may revoke a paternity claim for notification purposes or a notice of intent to claim paternity and obtain custody.

Access to Information Maintained in Registry

Statute: § 43-104.01(4)-(5)

- Department of Correctional Services
- Department of Health and Human Services
- Department of Health and Human Services Regulation and Licensure
- Any person authorized by law or upon court order for good cause shown

Nevada

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 128.085; § 128.150

- The putative father, if known, is served with notice of termination proceedings. The hearing is not held until the child's birth or 6 months after the filing of the petition, whichever is later.
- He must appear at the proceeding and claim custodial rights.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

New Hampshire

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 170-B:5-a(I)-(II)

- May file before child's birth, prior to mother's rights being voluntarily relinquished, mother consenting to an adoption, or rights involuntarily terminated.
- Completed Office of Child Support and Enforcement form.
- Putative father has 30 days from date of notice to request a hearing to prove that he is the father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

New Jersey

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 9:3-45; § 9:3-45.1

- May file written objections within 20 days of receipt of notice of adoption proceedings in the case of a resident and 35 days if a nonresident.
- Putative father entitled to notice if within 120 days of child's birth or prior to date of preliminary hearing (whichever occurs first) he has acknowledged paternity by amending the birth certificate or has filed a paternity action in court.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

New Mexico

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 32A-5-20(B)(2)

May file a notice of intent to claim paternity before or after child's birth.

Information Contained in Registry/Claim

Statute: § 32A-5-20(B)

Name and address of any person adjudicated by court to be the father, any person who filed paternity claim or an instrument acknowledging paternity.

Revocation of Claim to Paternity

Statute: § 32A-5-20(E)

May at anytime revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry

Statute: § 32A-5-20(H)

- Any court
- Department of Health
- Petitioner's attorney
- An agency
- Birth mother
- Any other person upon court order for good cause

New York**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: Soc. Serv. Law § 372-c(1)

May file an intent to claim paternity prior to or after child's birth.

Information Contained in Registry/Claim

Statute: Soc. Serv. Law § 372-c(1)

- Names and addresses of any person:
 - Adjudicated by a court to be the father.
 - Who has filed with the registry a notice of intent to claim paternity or an instrument acknowledging paternity.

Revocation of Claim to Paternity

Statute: Soc. Serv. Law § 372-c(3)

May at anytime revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry

Statute: Soc. Serv. Law § 372-c(5)

- Any court
- Authorized agency
- Any other person upon a court order for good cause shown

North Carolina**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 48-2-206(a), (c); § 48-2-401

- Must file within 15 days of receiving notice of the mother's intent to place child for adoption. Father is not entitled to further notice of adoption proceedings if he fails to respond.
- Must file a response to an adoption petition within 30 days after service of notice.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

North Dakota

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 14-17-23; § 14-17-24

- If mother relinquishes or proposes to relinquish child for adoption, father is given notice if:
 - He is a presumed father
 - He is a father whose relationship to the child has been determined by a court
 - He is a father as to whom the child is a legitimate child under law
- To identify the biological father (if need be), the court will cause an inquiry to be made. If the biological father is identified to the court's satisfaction, he is given notice of termination proceedings.
- Biological father must appear and claim custodial rights.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed..

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Northern Mariana Islands

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 8, § 1404; § 1405

- Natural father is entitled to notice of adoption proceedings if he has demonstrated a reasonable degree of interest, concern or responsibility as to the welfare of a child, either:
 - During the first 30 days after child's birth
 - Prior to the execution of a valid consent to adoption by the birth mother
 - Prior to the placement of the child with adoptive parents, whichever period of time is greater

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Ohio**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: § 3107.062

May file before child's birth, or within 30 days after the birth.
Completed Department of Job and Family Services form.

Information Contained in Registry/Claim

Statute: § 3107.062

- Putative father's name, and address or phone number
- Birth mother's name
- Date of receipt of form

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 3107.063

- Birth mother
- An agency
- An attorney arranging the adoption of the child

Oklahoma**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: Tit. 10, § 7503-3.1(I)

Before or after child's birth, putative father may receive a Notice of Plan for Adoption (formal notice that the mother is considering adoption). He must complete the enclosed preaddressed form within 30 days from the date that the Plan for Adoption was served.

Information Contained in Registry/Claim

Statute: Tit. 10, § 7506-1.1(D)

- Name, address, social security number, and date of birth of putative father and birth mother
- Putative father's tribal affiliation
- Child's name, date and place of birth or probable month and year of expected birth
- Date putative father registered
- Name of attorney or child-placing agency requesting a search of the registry and the date of request
- If registration is based upon adjudication by court:
 - The case number
 - The name of the court
 - Date of order, judgment or decree
 - A copy of the order, judgment or decree
 - Any other necessary information

Revocation of Claim to Paternity

Statute: Tit. 10, § 7506-1.2(A)

Putative father may revoke a notice of intent to claim paternity at anytime by submitting a signed, notarized statement.

Access to Information Maintained in Registry

Statute: Tit. 10, § 7506-1.1(l)

- Any court
- Authorized agency
- Any other person deemed necessary to receive such information by the Department of Human Services
- All others must show good cause to access information

Oregon**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: § 109.096

- Must file notice of the initiation of filiation proceedings prior to child's being placed in the physical custody of a person for the purpose of adoption.
- If paternity not established, putative father is entitled to notice of adoption proceedings if petitioner knows, or should have known, that:
- Child resided with the putative father at any time during 60 days immediately preceding the initiation of the proceeding, or at any time since the child's birth if he is less than 60 days old when proceeding is initiated.
- Putative father has repeatedly contributed or tried to contribute to the support of the child during the year immediately preceding the initiation of the proceeding, or during the period since the child's birth if he is less than one year old when the proceeding is initiated.
- File with the Center for Health Statistics of the Health Division of the Department of Human Services.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Pennsylvania**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: 23 Pa. § 2513; § 5103

- Notice of termination proceeding is given to putative father if he has filed a claim of paternity prior to the institution of proceedings.
- Father of child must complete Department of Public Welfare form.
- If mother's consent not given, putative father only entitled to notice of termination proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Statute: 23 Pa. § 5103

- May rescind acknowledgement of paternity within the earlier of the following:
 - 60 days
 - The date of an administrative or judicial proceeding relating to the child
- After expiration of 60 days, may be challenged in court only on the basis of fraud, duress, or material mistake of fact.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Puerto Rico**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: Tit. 32, § 2699c; § 2699d; § 2699g(h)

- Biological parents entitled to notice of adoption proceedings. If whereabouts of a parent is unknown, or if he is outside of Puerto Rico, notice shall be published.
- Parents have 15 days from the date the notice is served/received to respond to the adoption petition.
- If parents fail to attend the hearing for the first appearance, the court may decree the adoption without further summons or hearing.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Rhode Island**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice**

Statute: § 15-7-26

- Putative father must appear at adoption proceedings and claim rights to the child
- Putative father is given notice of the adoption proceedings if he is identified to the satisfaction of the court

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

South Carolina

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 20-7-1734; § 20-7-1690

- Putative father entitled to notice of adoption proceedings.
- Must file notice and reasons to contest, intervene or otherwise respond within 30 days of receiving notice of adoption proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

South Dakota

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 25-6-1.1; § 25-6-1

- Within 60 days of child's birth, putative father must acknowledge paternity through one or more of these actions:
 - Publicly acknowledging child as his own and receiving child into his family
 - Placing name on birth certificate
 - Commencing a judicial proceeding claiming a parental right

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Tennessee

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 36-2-318(e)(3); § 36-2-318(j)

- May file a notice of intent to claim paternity prior to child's birth or within 30 days after birth
- Must file a complaint for parentage within 30 days from the receipt of notice of adoption proceedings

Information Contained in Registry/Claim

Statute: § 36-2-318(e)

- Name and address of putative father, child, and birth mother for whom an order of parentage has been entered and those for whom the registrar has a record of any acknowledgement of parentage executed.
- Those who file a notice of intent to claim paternity:
 - Putative father's name, address, and phone.
 - Name of child, if known.
 - Name of birth mother and current legal or physical custodian, and their address and phone number.
 - Any other information which identifies child or his whereabouts.
- Court order which adjudicates a person to be the father.
- Copies of sworn acknowledgements of parentage.

Revocation of Claim to Paternity

Statute: § 36-2-318(g)

- May revoke a notice of intent to claim parentage at anytime in writing
- Effective as of the date it is filed

Access to Information Maintained in Registry

Statute: § 32-2-318(h)

Any notice of intent to claim paternity may be used as evidence by any other party in any proceeding in which the parentage of a child may be relevant.

Texas**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice**

Statute: Fam. Code § 160.402(a); § 160.312

- May file before child's birth, but no later than the 31th day after birth
- Complete Bureau of Vital Statistics form signed and acknowledged by putative father

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Statute: Fam. Code § 160.414

Putative father may at anytime revoke a notice of intent to claim paternity by sending a written statement which has been signed and notarized.

Access to Information Maintained in Registry

Statute: Fam. Code § 160.412

- Birth mother
- A court
- An authorized agency
- A licensed child-placing agency
- A support enforcement agency
- An attorney involved
- Registry of another state

Utah

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 78-30-4.13(3)(a); § 78-30-4.13(5)

- Putative father entitled to actual notice of a birth or adoption proceeding.
- May initiate proceedings to establish paternity prior to child's birth or prior to the mother's execution of consent or her relinquishment to an agency.
- File with Department of Health, Vital Statistics.
- Must respond to adoption petition within 30 days of notice of adoption proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Vermont

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 15A, § 3-503; § 3-404

- Must file a claim of paternity within 20 days after notice of termination proceedings, unless a claim of paternity is pending.
- Reasonable efforts are made to identify and notify biological father; includes inquiries of appropriate persons.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Virgin Islands

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 16, § 142; § 143

- Parents entitled to notice of adoption proceedings.
- If parent not found in Virgin Islands, notice is published. A parent who has not, before the hearing of a petition for adoption, had personal notice, may at any time within one year after actual notice, apply to the court for a hearing *de novo*.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Virginia

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 63.2-1202; § 63.2-1222

Must object to adoption proceedings within 21 days of the mailing of the notice of such proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Washington

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 26.33.110

Must file a claim of paternity or respond to the petition for termination of rights within 20 days of the date of service of the petition if served within the State or 30 days if served outside of the State.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

West Virginia

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 48-22-601(a); § 49-3-1(b)(3)

- Putative father entitled to notice of adoption proceedings if he is claiming to be the father and whose paternity of the child has been established.
- Notice also given to a putative father who has asserted or exercised parental rights and duties within 6 months of the child's birth, if he knew the whereabouts of the child.

Information Contained in Registry/Claim

Not addressed in statutes reviewed.

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Not addressed in statutes reviewed.

Wisconsin**Does State have a Putative Father Registry: No****Registry/Paternity Requirements to Receive Notice**

Statute: § 48.025(2)

- May file a declaration of parental interest at any time except after termination of putative father's parental rights.
- Must be in writing and signed by putative father.

Information Contained in Registry/Claim

Statute: § 48.025(2)

- Name and address of putative father and birth mother
- Month and year of the child's birth or expected birth
- Statement that individual has reason to believe that he may be the child's father

Revocation of Claim to Paternity

Not addressed in statutes reviewed.

Access to Information Maintained in Registry

Statute: § 48.025(3)

Sent to birth mother.

Wyoming**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice**

Statute: § 1-22-117; § 1-22-108(c)(ii), (d)

- May file before or after child's birth a notice of intent to claim paternity.
- May file an instrument acknowledging paternity.
- Putative father having knowledge of birth or pending birth must evidence an interest in and responsibility for the child within 30 days after receiving notice of child's birth or pending birth.
- Putative father has no right to assert paternity in termination proceedings unless one or more of the following statements is true:
 - He is known by the mother or agency
 - He lived with or married the mother after the child's birth and prior to the filing of the adoption petition
 - He has acknowledged the child as his own
 - He has registered as a putative father

Information Contained in Registry/Claim

Statute: § 1-22-117(a)

- Name and address of any person:
 - Adjudicated by a Wyoming court to be the father
 - Who has filed with the registry, before or after the child's birth, a notice of intent to claim paternity
 - Adjudicated by a court of another U.S. State or territory to be the father
 - Who has filed with the registry an instrument acknowledging paternity

Revocation of Claim to Paternity

Statute: § 1-22-117(c)

May at any time revoke a notice of intent to claim paternity previously filed.

Access to Information Maintained in Registry

Statute: § 1-22-117(e)

- Any court
- Authorized agency
- Any person upon order of a court for good cause shown